

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE  
2004 JUL 13 P 12:10

ANTONIO GENDRAW  
Petitioner,

v.

LUIS SPENCER  
Respondent.

Civil Action No. 04-10630-RGS

U.S. DISTRICT COURT  
DISTRICT OF MASS.

**RESPONDENT'S MOTION TO DISMISS**  
**PETITION FOR WRIT OF HABEAS CORPUS**

The respondent, Luis Spencer, hereby moves this Honorable Court to dismiss the Petition for Writ of Habeas Corpus filed by the petitioner, Antonio Gendraw. As grounds for this motion, the respondent states that the petition is time barred. 28 U.S.C. § 2244(d)(1). The respondent relies on the accompanying memorandum of law in support of this motion to dismiss.

Respectfully submitted,

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